

House File 314 - Introduced

HOUSE FILE 314

BY KELLEY

A BILL FOR

1 An Act relating to the assessment of the drug abuse resistance
2 education surcharge.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 907.3, unnumbered paragraph 1, Code
2 2015, is amended to read as follows:

3 Pursuant to section 901.5, the trial court may, upon a plea
4 of guilty, a verdict of guilty, or a special verdict upon which
5 a judgment of conviction may be rendered, exercise any of the
6 options contained in this section. However, this section does
7 not apply to a forcible felony or to a violation of chapter
8 709 committed by a person who is a mandatory reporter of child
9 abuse under section 232.69 in which the victim is a person who
10 is under the age of eighteen, or to the drug abuse resistance
11 education surcharge assessed in section 911.2.

12 Sec. 2. Section 911.2, subsection 2, Code 2015, is amended
13 to read as follows:

14 2. In the event of multiple offenses, the surcharge shall be
15 imposed for each applicable offense. The surcharge shall ~~not~~
16 also be assessed for any offense for which the court defers the
17 sentence or judgment or suspends the sentence.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to the assessment of the drug abuse
22 resistance education surcharge.

23 The bill requires the assessment of the drug abuse
24 resistance education surcharge for a deferred judgment or
25 sentence or a suspended sentence.

26 The drug abuse resistance education surcharge is assessed
27 for violations of Code chapter 321J (OWI) or Code chapter 124,
28 division IV (controlled substances).

29 The amount of the drug abuse resistance education surcharge
30 is \$10 for each violation and is distributed to the governor's
31 office of drug control policy pursuant to Code section
32 602.8108(4).